



International Dairy Foods Association
Milk Industry Foundation
National Cheese Institute
International Ice Cream Association

April 24, 2006

National Organic Standards Board
c/o Katherine Benham
Room 4008 South Building
1400 and Independence Ave., SW
Washington, D.C. 20250-0001
Transmitted via e-mail : Katherine.Benham@usda.gov

Dear Ms. Benham:

The International Dairy Foods Association (IDFA) appreciates the opportunity to provide comments to the National Organic Standards Board (NOSB) on recommendations regarding the continued use of natural (non-synthetic) flavors in processed products labeled as “organic” and “made with organic.”

These comments are submitted on behalf of IDFA and its constituent organizations, the Milk Industry Foundation, the International Ice Cream Association, and the National Cheese Institute. The approximately 500 member companies of these associations operate more than 650 processing and manufacturing plants, which account for 85% of the dairy products consumed in the United States. Additionally, many of our members produce, process and market organic dairy products.

IDFA supports the continued use of natural flavors listed in section 205.605(a) of the National List, “Flavors, non-synthetic sources only and must not be produced using synthetic solvents and carrier systems or any artificial preservative,” as non agricultural substances allowed as ingredients in processed products labeled as “organic” or “made with organic.” The Food and Drug Administration defines natural flavors in 21 CFR 101.22 as the essential oil, oleoresin, essence or extractive or any product of roasting, heating or enzymolysis that contains the flavoring constituents of the living material or is the result of fermentation of these materials. The agency maintains its policy of regarding natural as meaning nothing artificial or synthetic has been added or included. As defined in the regulation 7 CFR 205.2¹, the allowed processes in

¹ **7 CFR 205.2 Terms defined.**

Nonsynthetic (natural). A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Act (7 U.S.C. 6502(21)). For the purposes of this part, nonsynthetic is used as a synonym for natural as the term is used in the Act.

Processing. Cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling, or otherwise manufacturing and includes the packaging, canning, jarring, or otherwise enclosing food in a container.

organic food are traditional physical methods such as roasting and heating, which are identical to traditional physical processes for the production of natural flavors².

The NOSB reviewed and approved the use of natural flavors in October 1995. The recommendations adopted by the NOSB for natural flavors were that: 1) all of the flavor constituents used in the natural flavor are from natural sources and have not been chemically modified in a way which makes them different than their natural chemical state; and 2) the natural flavor has not been produced using any synthetic solvent and carrier systems or any artificial preservatives.

IDFA believes that the current supply of organic flavors in the market cannot adequately meet the needs of the food industry in terms of availability, desired organoleptic characteristics, and volume. In general, the non-availability of organic options is one of the biggest concerns for the food industry.

Natural flavors are needed to make milk and dairy products that are consistent and appealing to consumers. For example, flavored milks and yogurt require the use of natural flavors to maintain overall quality and the desired flavor profile. Without the use of flavor enhancement, industry would not be able to provide high quality organic product choices appealing to consumers. If natural flavors are removed from the National List we would lose many organic products that are not viable without natural flavor enhancement. This would directly impact the growth of the dairy organic industry.

In summary, allowing the use of natural flavors in organic foods would facilitate the development of organic products resulting in a wider selection of these products for consumers.

IDFA appreciates the opportunity to provide these comments to the NOSB.

Sincerely,

A handwritten signature in black ink, appearing to read "Cary Frye". The signature is fluid and cursive, with the first name "Cary" being more prominent than the last name "Frye".

Cary Frye
Vice President,
Regulatory Affairs

² **21 CFR 101.22(3)** The term *natural flavor* or *natural flavoring* means the essential oil, oleoresin, essence or extractive, protein hydrolysate, distillate, or any product of roasting, heating or enzymolysis, which contains the flavoring constituents derived from a spice, fruit or fruit juice, vegetable or vegetable juice, edible yeast, herb, bark, bud, root, leaf or similar plant material, meat, seafood, poultry, eggs, dairy products, or fermentation products thereof, whose significant function in food is flavoring rather than nutritional. Natural flavors include the natural essence or extractives obtained from plants listed in §§ 182.10, 182.20, 182.40, and 182.50 and part 184 of this chapter, and the substances listed in § 172.510 of this chapter.